

# THE TRI-WEEKLY COMMONWEALTH.

VOL. 7.

THE TRI-WEEKLY COMMONWEALTH  
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House. April 23, 1858—1.

FRANKLIN GORIN. A. M. GAZLAY.

GORIN & GAZLAY,  
Attorneys and Counselors at Law,

LOUISVILLE, KY.

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Sept. 9, 1857—1.

FRANK B. BEDFORD,  
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Dec. 1, 1856—1.

ROBERT J. BRECKINRIDGE,  
Attorney and Counselor at Law,  
LEXINGTON, KY.

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THOMAS A. MARSHALL  
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may be entrusted to him in the Court of Appeals of Ken-  
tucky, and such engagements as he may make in  
other Courts of Justice. He will also give his  
opinions and advice in writing, upon causes in  
writing, or on records presented to him. He will promptly  
attend to all communications relating to the busi-  
ness, and may at all times, except when ab-  
sent on business, be found in Frankfort.

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GOVINGTON, KY.

OFFICE, Third Street, Opposite Second and Carr, Hays,  
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Frankfort, Ky.,

WILL practice Law in all the Courts held in Frankfort  
and the adjoining counties. His Office is at his resi-  
dence, near P. Swigert's entrance on Washington street.  
Frankfort, Feb. 26, 1849, 753—1.

JOHN RODMAN,  
ATTORNEY AT LAW,

Office on St. Clair street, next door to Morse's  
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Oct. 28, 1853.

GEORGE W. CRADDOCK,  
ATTORNEY AT LAW,

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Dec. 7, 1850—1.

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M. D. & W. H. M'HENRY,  
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of Polk and adjoining counties, they feel confident they  
can furnish a satisfactory account of all business.

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on them at their office in Sherman's Building, corner of  
Third street and Court Avenue, Des Moines, Iowa.

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# THE COMMONWEALTH.

From the National Intelligencer.  
Edward Everett.

MESSRS. GALE & SEATON: I see in a late number of the "Republic" an injurious paragraph devoted to this distinguished statesman and patriot. The following letter addressed to a friend, in reference to certain strictures upon his course in regard to the unfortunate Brooks and Sumner difficulty, sufficiently refutes the charge insinuated in that paper. I am sure you will gratify the large number of your readers by its publication.

H.

DEAR SIR: I have received your friendly letter of the 19th of April, enclosing a cutting from the "Knoxville Register" of the 17th, and another from the "Knoxville Whig," containing the card of Mr. Seaton. The subject revives painful recollections, but it remains to me a duty, in compliance with your request, to acquaint you with the facts of the case.

When the intelligence of the assault on Mr. Sumner, in the Senate of the United States, reached Boston, it produced an excitement in the public mind deeper and more dangerous than I have ever witnessed. It was the opinion of some persons that if a leader daring and reckless enough had presented himself he might have raised any number of men to march on Washington. By reflecting men the deplorable act was regarded as the "beginning of the end;" the spark which was but too likely to kindle the train whose explosion would rend the Union. Letters from Washington informed us that the members had generally armed themselves, and if the predictions received by me from an impartial source had been fulfilled, and the crack of the revolver been heard all round the House of Representatives, the event would have been inevitable.

Immediately on the receipt of the intelligence an indignation meeting was called in Faneuil Hall, which I was invited to attend. Not disposed to quit the retirement from political life caused by ill-health a year before—believing also that additional excitement was to be deprecated—I declined to attend the meeting. It was, however, attended and addressed by very sound, conservative men. In the course of the following week, having occasion to repeat my address "on the character of Washington," I prefaced it with a few remarks on the recent occurrences, the object of which was to impart a more chastened and sober temper to the fiery indignation which pervaded the community. These remarks were pervasively quoted and approved in conservative journals, both North and South. They are the same which are alluded to in the closing paragraph of Mr. Sneed's card. Enclose you a copy of them.

A day or two after the appearance of these remarks in the public papers, a young friend, after expressing his cordial approbation of them, requested me to subscribe to a testimonial proposed to be tendered to Mr. Sumner. He did not show me the paper, nor mention in whole or in part the terms in which it was expressed. Supposing that it would accord in spirit with my own remarks just alluded to, I felt it a duty, in order to avoid misconception, in the existing state of the public mind, to comply with his request, which I accordingly agreed to do. The paper was sent up to me at a very early hour the next morning in my bed room, where, from illness, I had passed a bad night, and was still under the influence of ether repeatedly inhaled as an anodyne. It was engrossed on a very stiff sheet, rolled up, the lower end outward. I unrolled it up to the names already subscribed; those who struck my eye were of judicious and reflecting persons; and without reading or seeing the caption I signed my name. This of course was a great indiscretion, but of a kind perhaps not unnatural under the circumstances of my illness. This is the paper given at length in Mr. Sneed's card.

As soon as I saw it the next day, in the public prints, I informed the young gentleman who had procured my signature that I could not have signed the paper had I been aware of the spirit in which it was drafted and the terms in which it was expressed. I made the same statement to numerous friends and correspondents in different parts of the country. I furnished a memorandum to the above effect to the editor of the "Boston Advertiser," to be published when he should think it proper. I authorized two friends in the Senate of the United States to make the necessary explanation should the subject be alluded to in that body, as I thought it possibly might be; and as soon as Mr. Sumner's health was sufficiently restored to make it proper to do so I wrote to him to the same effect.

Others who subscribed the paper did it, as I am informed, either without reading it at all or so hastily as not to be well aware of its character. When a meeting of the subscribers was called it was agreed, partly, as I understood, for this reason, and in accordance with the expressed wishes of Mr. Sumner, to take no further steps in the premises; and to apply the sum subscribed to the relief of the sufferers in Kansas, which was accordingly done. This meeting was held at a time when I was absent at Newport, but I fully approved its doings. I ought to add that it was well known that I had condemned from the outset, and still most decidedly condemn, the policy of the late Administration toward Kansas. I opposed the Kansas-Nebraska bill in the Territorial Committee, of which I was a member. I voted against the amendment to the bill, by which the Missouri compromise was repealed. I opposed the bill, to the best of my ability, in a speech delivered in the Senate on the 8th of February, 1854, of which I send you a copy; and I should have voted against it on its passage (as I stated in my place at the next meeting of the Senate) had not severe illness compelled me, at half past three o'clock in the morning, to leave the Senate chamber before the vote was taken. I informed my Southern political friends, when the bill was brought in, that it ought to be entitled a bill to "annihilate all conservative feeling in the non-slaveholding States."

With these views of the subject, though, as I trust, for reasons higher than any effect on party politics, I fully concurred in the main line of argument in Mr. Sumner's speech. Abstaining, however, habitually myself from all personalities in debate, and believing that they always irritate, and never persuade nor convince, I could not, of course, bestow my "unqualified approbation" on the manner in which he treated the subject, nor intentionally give my sanction to the violent and offensive language of the subscription paper alluding to, and inadvertently signed by me.

In conclusion, I think it would be a sadly unprofitable task to endeavor to trace the successive steps of that mischievous action and reaction of North and South upon each other, which has brought the country into its present dangerous position, where a few more steps forward in the path of mutual exasperation will be fatal to the Union. The ground on which I have endeavored to stand is well known—it is that of conciliation, in the spirit of the Constitution.

I certainly shall not be suspected of seeking apologies for the manner in which the existing sectional agitation is carried on at the North, one feature of which has been a most violent and unrelenting warfare against myself; and which is even now seeking to load me with obloquy for not dragging the name of Washington into the vortex of this embittered controversy. But truth compels me to say that the repeal of the Missouri compromise, the subsequent events in Kansas, and the assault on Mr. Sumner have done more than any thing else—more than all other things put together—to furnish materials and give effect to that agitation, and to paralyze all conservative resistance to it.

For the same reasons which have led me to furnish you with the foregoing explanation, you may have permission to make any use of it you may think expedient.

I remain, dear sir, with friendly regard, yours,  
EDWARD EVERETT.

AGUSTA, Ga., May 21.

The express train bound east to day ran off the track near Sonora. The mail agent, engineer, and one passenger hurt, no one seriously.

From the New York Times.  
Admission of New States—Oregon and Minnesota.

In spite of the fuss made about the right of the people in every new State to regulate their own affairs, the current debates in Congress show how little importance attaches to theoretical systems and platforms, when they conflict with desired action upon specific subjects. For the last three or four years the country has been convulsed by the discussion concerning the admission of new States. The main point taken has been that Congress had no right to inquire into the provisions of the Constitution which any new State might present for admission to the Union—further than to see that it was Republican in form. Beyond this, Congress could not go without invading the sovereignty of the people. It had right to inquire whether it admitted or excluded slavery—whether it invited or proscribed foreigners—whether it tolerated or prohibited banks, or anything of the kind. All these were matters of purely local concern, and their control must be left exclusively to the people themselves.

All through the Kansas discussion this was the doctrine upon which most stress was laid. But now that the Kansas question has been disposed of, and other States are applying for admission, the doctrine seems to be discarded altogether. Members of Congress, on all sides, plunge into a dissection of the Constitutions of Oregon and Minnesota with as much freedom and zest as if the principle of popular sovereignty had never been heard of. One finds fault with one provision, another with some other: they apparently agree upon nothing except the absolute and indefeasible right of Congress to enforce upon every new State the duty of making such a Constitution as shall please the majority of its members. In the case of Oregon, Senator Fessenden of Maine declares that he will vote for her admission, because her Constitution excludes negroes from the State. Mr. Seward dislikes the exclusion, but will vote for admission in spite of it. Mr. Trumbull does not object to the anti-negro clause because he has never believed we were under any obligation to put negroes on an equal footing with whites; but he intends to vote against the admission of Oregon for lack of an enabling act, and of all regularity in the formation of the Constitution. Mr. Wade objects to the Constitution because it excludes Chinamen; and when we begin, he says, to make distinctions among foreigners, there is no telling where we shall stop.

Mr. Washburne, of Maine, suggested that by general consent the House agreed to the vote being taken to-morrow, and that-to-day be devoted to private bills.

Mr. Letcher, of Va., inquired why not take the vote to-day?

Mr. Washburne wished to reply, but objection was made from the Democratic side.

Mr. Maynard, of Tenn., moved that the members be sworn in.

The Speaker decided the motion to be out of order.

Mr. Keitt, of S. C., suggested that the subject be postponed till to-morrow, and that the House go into committee on one of the appropriations.

This was necessary if Congress expects to adjourn on the 7th of June.

WASHINGTON, May 21.

**Senate.**—The Senate occupied its time till the adjournment with private bills, forty or fifty of which were passed, and the private calendar was almost cleared. None were of public interest however excepting a bill to repay the State of Maine for the expense of a regiment organized for the Mexican war. Adjourned.

**House.**—The House, after three and a half hours' contest, adjourned without taking the question on the resolution.

WASHINGTON, May 22.

**Senate.**—Mr. Hayne, of South Carolina, was appointed on the Military Committee instead of Mr. Iverson, of Virginia.

Mr. Hunter, of Virginia, from the Committee on Finance, introduced a bill to authorize a loan of fifteen million of dollars. The bill was read the first time.

Mr. Green, of Missouri, introduced a resolution to pay extra compensation to the clerks of the Senate. The resolution provoked considerable discussion, and the sense of the Senate seemed to be against it. It was finally laid on the table by a vote of 33 yeas to 7 nays.

**House.**—The house continued the consideration of the Minnesota election case pending at the adjournment yesterday.

Mr. Harris, of Ills., by request of the Committee on Elections, submitted a certificate of George L. Becker, which Stanton had discovered in the clerk's office while looking over the papers there; also a letter from Gov. Medary and Joseph R. Brown, one of the canvassers, saying that Messrs. Phelps and Cavanaugh received the highest number of votes, and referring to Greely's almanac for figures. Harris said that the committee understood that they were instructed to inquire simply into the *prima facie* right of Messrs. Phelps and Cavanaugh, leaving the *sane* open to him.

Mr. Marshall, of Ky., wished to know which of the three persons elected they were to select.

Mr. Harris, of Ills., replied that Mr. Becker's certificate was never presented for the examination of the committee.

Mr. Washburne, of Ills., to make good his former statement, read an extract from the New York Tribune to show that Becker had received the highest number of votes.

Mr. Gilmer contended that the certificates were utterly worthless, it being an universal principle that if an election be without legal authority, it is absolutely void, and cannot be made valid by any subsequent law.

Mr. Washburne of Me., offered a resolution declaring that Phelps and Cavanaugh were not entitled to be admitted and sworn. Negatived by S. J. majority.

The question was then taken on the resolution of the majority of the committee on election, that Phelps and Cavanaugh be sworn in, provided that this shall not be considered as precluding any contest of their right to seats which may be hereafter instituted by persons having a right to do so. Adopted—yeas 135, nays 63.

Messrs. Phelps and Cavanaugh were then sworn in.

Mr. Harris of Ills., called up the Ohio contested election case.

WASHINGTON, May 22.

**Senate.**—Mr. Mason presented a resolution requesting the President to communicate information respecting the seizure by the British of the ship Tampico on the coast of Africa, also whether the President has further information regarding British outrages in the Gulf. Agreed to.

Mr. Wilson presented a resolution that the Secretary of the Treasury be requested to report to the Senate specific estimates for retrenchment and reform in the expenditures for the several branches of the public service, to remedy evils and excess of expenditures under the means of the government, as mentioned by him in his report of May 19; and that he further report what efforts have been made, and by whom, since March 4, 1857, to restrain the government to an economical expenditure of the public money, and what have been the results of these efforts.—Agreed to.

Mr. Mallory, from the naval committee, reported a bill, which was read twice, authorizing the construction of six small war steamers of light draught.

The homestead bill was then taken up.

Mr. Clingman moved an amendment that warrants for one hundred and sixty acres be granted to each head of a family.

Mr. Clingman spoke to his amendment, saying that he was in favor of retaining these lands in the public treasury; but if they are to be given away, he wished them distributed equally.

Messrs. Hayes, Reed, Crittenden, and House, opposed the bill and amendment.

Messrs. Doolittle, Hale, and Durkee spoke in favor of it.

Without action the Senate adjourned.

Mr. Clingman has been appointed postmaster at Cincinnati.

Commodore Stover, Capt. Engle, Capt. Harwood, Commander Hoff, and Commander Poole have been appointed the board of visitors to witness the annual examination of the several classes of acting midshipmen at the Naval Academy on the 1st of January.

The following officers have been appointed to U. S. brig Dolphin, with orders to repair immediately to Boston. The Dolphin will leave for the home squadron about the 1st of June.

Lieut. Commanding Maffit, 1st Lieut. T. P. Williams, 2d Lieut. J. H. Bradford, 3d Lieut. C. Carpenter, and Passed Assistant Surgeon, J. M. Brown.

NEW YORK, May 21.

A man, supposed to be T. G. Taylor, merchant of Cincinnati, fell dead on Broadway last night. He had \$15,000 in drafts on his person.

NEW ORLEANS, May 21.

The U. S. steamer Fulton arrived at Mobile with Tampico dates of the 18th. Civil war there had ended. The river was unobstructed. Gen. Mejia reinforced the Government troops with 6,000 men, attacked the besiegers, defeated them, captured all the forts, took fifty prisoners, and killed one hundred and fifty men.

The John and Albert, from Genoa, which arrived Sunday, reports having been fired into by an English man-of-war five times.

ZANESVILLE, May 21.

PHILADELPHIA, May 21.

The express train bound east to day ran off the track near Sonora. The mail agent, engineer, and one passenger hurt, no one seriously.

## Congressional.

WASHINGTON, May 21.

Communications were received from the Secretary of War, conveying the latest information relative to the Atrato expedition, and a recommendation for an expenditure of \$100,000 for breach loading fire arms for portion of the army.

Mr. Seward introduced a bill for the removal of the revenue buildings at the Quarantine Station in New York. Referred to the Committee on Commerce.

Mr. Green, of Missouri, introduced a bill to pay the Oregon and Washington Territory wars.

Mr. Bayard, from the Judiciary Committee, submitted numerous reports adverse to the memorials asking for appropriations for court houses, etc.

Mr. Wilson, of Mass., submitted a bill to print for the use of the Senate 60,000 copies of the Patent Office agricultural report.

These views are embodied in three separate reports.

pany, have tendered to the friends of Major General Persifer F. Smith, deceased, the free use of the road and cars, properly arranged, to bring to Philadelphia the remains of the deceased and such persons as may accompany the same.

WASHINGTON, May 21.

The majority of the committee on elections take the ground that Messrs. Phelps and Cavanaugh, as members of the House, from Minnesota are entitled *prima facie* to be sworn and admitted to seats, but they do not propose that such an admission shall preclude any contest as to the rights of these gentlemen which may hereafter be properly instituted.

Three of the committee, Messrs. Clark, Wilson, and Gilmer, maintain that each certificate is on a *prima facie* title, but a *prima facie* refutation of title effectually precludes all right, provisional or final, to a seat.

Mr. Washburne, of Maine, believes that under the law of Congress and the constitution of Minnesota, there has been and could have been no legal election.

These views are embodied in three separate reports.

ST. LOUIS, May 21.

The Democrats of the third congressional district unanimously recommended the re-election of John B. Clark.

WASHINGTON, May 22.

The bill reported by Mr. Hunter in the Senate gives authority to the President, any time within twelve months from the passage of the act, to borrow \$15,000,000, with the provision that no contract shall be made to prevent the United States from reimbursing the sum borrowed at and after the expiration of fifteen years, the interest not exceeding six per centum, and none issued for a less sum than one hundred dollars, which may be transferred on the books of the Treasury under such regulations as may be established by the Secretary of the Treasury.

Whenever required, the Secretary may issue coupons of semi annual interest to be attached to a certificate assigned or transferred. The Secretary shall give public notice for bids of not less than thirty days, and accept the most favorable from responsible bidders. No stock to be disposed of at less than par value, and the faith of the United States is pledged for the payment of the interest and redemption of the principal. The bill authorizes the employment of two additional clerks and appropriates \$30,000 to meet the expense incurred in the execution of the loan.

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